

FILED

JUN - 8 2016

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHARLES HICKS,

Defendant.

4:16CR00237 SNLJ/NCC

INDICTMENT

COUNT ONE – MAIL FRAUD

Introduction

1. At all relevant times, Defendant Charles Hicks was a resident of Jefferson County, Missouri within the Eastern District of Missouri.
2. From July 2012 to November 2013, Defendant was employed by RockTenn Company at its office in St. Louis, Missouri.
3. From January 2014 to January 2016, Defendant was employed by MarChem at its headquarters in St. Louis County, Missouri.

The Scheme

4. The scheme existed from at least May 2013 through at least January 2016.
5. It was the object of the scheme for Defendant to embezzle funds from his employers by submitting false invoices to his employers in the name of entities, Gateway Machine & Equipment (“Gateway”) and IMR, LLC (“IMR”), that he controlled.

The Manner and Means of the Fraud Scheme

6. It was a part of the scheme that Defendant, while employed fulltime at either MarChem

or RockTenn, submitted bills for work and equipment not provided by Gateway or IMR or, on occasion, for work Defendant was obligated to perform as a salaried employee of either MarChem or RockTenn.

7. It was a part of the scheme that Defendant provided mailing addresses in the St. Louis area for Gateway and IMR even though those entities existed almost entirely “on paper” and had no physical offices or employees other than Defendant and performed no duties other than as conduits for the proceeds of Defendant’s scheme.
8. It was a part of the scheme that, in furtherance and execution of the scheme, Defendant directed and caused material including proceeds of the scheme to be delivered to Gateway’s mailing address in St. Louis, Missouri within the Eastern District of Missouri by means of the United States Postal Service.
9. It was a part of the scheme that between May 2013 and January 2016, Defendant defrauded his employers of approximately \$370,000.

Offense Conduct

10. On or about May 28, 2013 in the Eastern District of Missouri and elsewhere, in furtherance and execution of the foregoing fraud scheme,

CHARLES HICKS,

having devised a scheme to defraud and to obtain money and property by means of false and fraudulent pretenses, representations and promises, did place and cause to be placed in any post office or authorized depository for mail matter to be delivered by the United States Postal Service, to wit: RockTenn check #13451742 for \$12,012.72 payable to a Gateway.

In violation of Title 18, United States Code Section 1341.

A TRUE BILL

RICHARD G. CALLAHAN
United States Attorney

Thomas C. Albus, #96250
Assistant United States Attorney